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to wait on him

43. he was always on the outside

44. Erik did not know the kids that Lee was with that night, never heard of them

45. Lee and Erik had a falling out approximately one before the incident

46. kids in the Mt. Healthy group were all about the same age

47. The other two boys Lee was with that night were street smart, Lee was not street smart at all.

a. Lee had no street sense

48. Lee would fantasize about committing a crime - a gun would enter into the fantasy - Lee said it would make the crime easier

a. Lee said that a gun would make people give it up

b. Lee said he would use a gun to scare people

c. Lee would say that he did not want to shoot anyone

i. Erik did not think that Lee would be capable of shooting anyone

ii. LEE HAD THE POTENTIAL TO BE CAUGHT UP IN A

SITUATION

d. Lee had a toy gun that he would "play" with

e. the gun used that night was his father's

f. Erik knew that his grandfather had the guns - never knew about the gun

though

49. Lee could be suckered in or get conned into things

50. Lee was smart, well mannered, verbally adept, intelligent person

51. everytime that Lee and Erik were together Lee seemed to be happy and

joyful

a. always seemed to look at the bright side of things

b. problems would be joke to Lee, would not get him down

52. DESCRIBE LEE: unpredictable, surprising, defensive, fun loving, adventurous, humble

a. unpredictable or surprising: he would want to keep people on their toes, wanted to shock people i.e. being romantic with a girl

b. defensive: Lee would take things personally, would want to make sure that you were not putting him down, he did not like to be put down

c. humble: never quick to brag on himself

i. he wouldn't build himself up

ii. he would accept compliments and then go on

iii. he never wanted people to think that they were going to his

head

53. Lee seemed to have a high average self-esteem

a. Lee felt that he had potential, hoped he would be better,

b. was some self-deserving attitude

c. if he had to work for something he would scheme and look for the easiest way out or scheme his was easiest to the "golden ring"

008515

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54. Lee knew that he was smart enough to make it if he worked

55. Lee not disciplined enough to succeed

a. he was not focused, he was only focused on the fun things

56. LEE'S RAP:

a. street rap

b. about youth issues - girls, guys starting stuff

c. focused on us and what we thought - logical things

d. music closest to Public Enemy or Ice Cube

e. attempted to have a positive effect with a rough style

i. fast with a rough beat

57. LEE'S MIND STATE NOW: he feels like he has messed - "I feel that he felt that he would do it differently if he could".

58. Vernena: had difficulty with drugs and alcohol

a. her brother did too.

b. Lee Sr - did/does

c. runs in the family

Reverend Culbreath:

1. Has known Lee all of his life

2. Did not see Lee as a problem child

3. Lee was raised as a Xtian and he attended church

4. Lee was well mannered

5. LEE AS A CHILD: always reserved, very quiet

a. would talk but nothing of substance, merely pleasantries of the day

b. did not seem to be a child with much on his mind

6. When did talk to Lee it was attempting to direct him in the way of achievement

a. Lee never did express any real professional leanings

7. LEE AND FRIENDS: he had friends in the church, however these were not friends that carried over into the week, they were the children that were seen each week at church

8. LEE AND HIS PARENTS:

a. appeared to be a well balanced family, until the divorce

b. the fracture of the family may have an impact on him

c. Lee did not seem to be bothered by the divorce, he never seemed to show any emotion, at least on the surface

d. Lee seemed to take the change in stride and never seemed to be bothered

9. LEE AND G:

a. they seemed to get along well

b. he never came to the reverend with any real problems

c. G had brought some problems to him, concerning Lee's difficulties in

008516

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school and work - THIS WAS AFTER THE INCIDENT

i. Lee's difficulty with kids at school

10. Lee attended church when his mother attended church - weekly

11. LEE AND CHURCH:

a. Lee there because his mother was there

b. Lee seemed to want to be invested in the church (?)

c. Lee difficulty with coming to church more often was that he didn't have a car - in the reverends opinion

d. there were other groups that Lee could have been involved in the church

i. the reverend approached Lee about joining the groups - neither G nor Lee approached the reverend

e. Lee also could not participate because he was working on a couple of occasions

i. work was Lee's difficulty with his involvement in the church

12. DESCRIBE LEE: average

13. Did not have much 1:1 contact with Lee

14. Totally baffled why Lee did what he did

15. Have spoken with Lee since the incident and Lee say he was not himself:

a. drugs involved

Mrs. McDaniels

1. When G was gone in the evening she would have a babysitter

a. Robin or Jackie would watch Lee also

2. Things building up in Lee:

a. all the kids that were picking on him and teasing him (tattle-tale, momma's boy)

b. pent up aggression, feeling bad about himself

c. he couldn't fight or defend himself

3. Everyone thought that he would be the one who would grow up and be alright

4. ~~Lee had no real friends his own age~~

5. ~~No kids Lee's age would associate with him~~

a. only one boy his own age would associate with him

b. this boys family moved because the neighborhood was changing

c. this boy could not understand why other children would pick on Lee

6. ~~Many of the boys in the neighborhood did not like Lee~~

a. kids liked to pick on him

7. One of the neighbor boys who is now grown up said Lee was a good kid

8. Lee drifted away from Mike Jr. was he was in the 10th grade

a. 7th thru 9th Lee would come over all of the time

9. Lee always followed the rules

008517

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10. Lee did not seem like he fit in with the rest of the kids
11. G was the only parent for Lee
12. G would attempt to get Lee involved with educational types of activities
13. G attempted to get Big Bros involved - however Lee was not eligible b/c he saw his father every other weekend
14. G attempted to get him involved in Upward Bound - at U.C. however Lee did not qualify
15. G was scared of getting Lee involved in sports because they were dangerous, also her work made it difficult for her to get him to the practices and the games
 - a. she wanted him closely supervised
16. Lee's father would not do anything with him
 - a. when Lee would return from weekends with his father they used to ask him what they did and Lee would respond very sadly and dejectedly "Nothin"
17. Subjects that Lee would talk to Mr. McDaniel about:
 - a. some problems at school
 - b. girls
 - c. kids picking on him
18. Mr. McD would talk with Lee one to one, Mrs. McD would speak to Lee one to one also
 - a. would talk like to him parent to child
19. Mrs. would watch to see that Lee would have kids in the house
 - a. when Mrs would catch him he never disrespectful to her - ~~would always~~ admit that he made a mistake
20. Lee took G's car one day when she was at work
 - a. he admitted that he took it
 - b. G did not know that Lee could drive
 - i. he was 16 at the time
21. Lee would do illegal things - his father would let him drive without his temps or his license
22. ~~Lee did not get his license until he was with his father (?)~~
23. Oct. 93 Mrs saw Lee with the other boys who were with Lee the night of the incident
 - a. Markita had seen Lee with the boys on several occasions at Forest Fair Mall - hanging out
 - b. Mrs saw Lee on another occasion with these boys - he was out of character silly - like he was high from drugs or alcohol
24. Lee and his advice to McD's kids:
 - a. Lee would say that fighting did not solve problems
 - b. he would tell them that talking was the way to solve things and then you can work it out
 - c. Lee would be a peacemaker in things, a mediator of disputes

008518

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25. There was alcohol and wine missing from G's house
 - a. kids that Lee would have into the house would drink the alcohol
26. Lee may not have know about what the other kids were doing in the house - ie. taking things - he may have blacked out or passed out
 - a. Lee either did not know that they were taking things from his house or he may have been too scared of them to try to get it back
 - b. don't think that Lee would steal or condone stealing from his mother
27. There was at least one time that Lee did have a girl in the house
 - a. Lee was "feeling his oats".
28. Never knew Lee to have alot of money at any one time
 - a. only time he had money was when he had a job
29. Lee was very athletic
30. Lee was well liked by the kids in the church group
 - a. he went to church with the McD's at times
31. Lee was very comforting and nurturing to Mike Jr. and Markita
 - a. he was like a big brother
32. Very nurturing young man
33. Lee was a peacemaker and mediator
 - a. did not see a point in fighting
34. NEVER SAW LEE EXPRESS ANY ANGER AT ANY POINT NO MATTER
WHAT WAS GOING ON
 - a. never heard him talk about getting back at people for wronging him
35. LEE WAS VERY INTELLIGENT
36. NEVER SAW LEE CRY ABOUT ANYTHING
37. Even when Lee was punished he would never get angry or never get upset
38. Lee and his father never knew each other
39. Father's house was very permissive
40. When Lee was 18 - his father would say that Lee was a grown man and he could make his own decisions (MUCH LIKE LEE SR'S PAST)
 - a. Lee Sr. was always drinking and womanizing
41. LEE HAD NO GOALS
42. The manager at Kroger when he worked there:
 - a. Lee would be gone for periods of time - when he was supposed to be getting carts - he would be gone longer at this than anyone else she would send out to do this
 - b. took him longer to do some things - he may have been goofing off
 - c. Lee was an OK worker
43. Lee worked at Kroger until Lee Cobb started there - this is the boy that Lee had all of the trouble with all of his life, the bully of the neighborhood
 - a. Lee quit (or fired?) when Lee Cobb started there
44. Lee always wanted to look nice
45. Lee never took anything from the McD's house

008519

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46. One of Lee's strengths is that he is very mechanically inclined
 - a. especially in electronics

008520

HOMICIDE OF MELVIN OLINGER

STATEMENT OF LEE MOORE

Code to persons speaking in statement:

Q: Specialist Dave Feldhaus
Homicide Unit, C.I.S.
Cincinnati Police Division

QQ: Detective Mike Tiernan
Fairfield Police Department

A: Lee Moore

(NOTE: Inaudible portions of statement are indicated by dashes.)

Q: Okay today's date is uh January 21st, 1994, the time now is um 0635 hours. My name is Specialist Dave Feldhaus with the Cincinnati Police Homicide Unit. With me is Detective Tiernan, T-I-E-R-N-A-N. He's with the uh Fairfield Police Department. We're interviewing uh a Lee Moore. Lee Edward Moore. He's a male black, 19 with a date of birth of uh 10/19 of 74. Mr. Moore gives an address of 1101 Clearbrook Avenue. Is that correct Lee? Is it Avenue or Street?

A: Drive.

Q: --- Drive. Okay. Has a phone number of 242-1482. Uh Mr. Moore is being interviewed in reference to the death of Melvin Olinger which occurred on uh January 14, um 1994 in uh Cumminsville. I know it was 3366 Llewellyn Place. Um before we get started Lee I'm showin' ya a piece of paper here in which you have your signature. It's your Miranda Rights. These rights were read to you

is that correct?

A: Yes.

Q: You gotta speak up okay so the tape can hear ya. Is that correct?

A: Yes.

Q: Okay an' you indicated that you understood it an' you signed your signature here at the bottom is that correct?

A: Yes.

Q: An' that's your signature?

A: Yes.

Q: Okay. Lee what we wanna do like I said we're we're investigatin' the death of um Mr. Olinger. He's uh a male white, 53. Uh an' again I said he was found over in Cumminsville. Um what I want you to do is just start at the beginning of what you know about his death an' how it came about an' what happen that night. Just take it slow an' um...

A: Okay.

Q: an' be truthful.

A: Me an' Jason we drove up to um...

Q: Now Jason is I I need you to name the whole names that you know.

A: Me an' Jason Holmes rode up drove up to um Hamilton with intentions to steel steel a car. He knew an' I knew those were uh were my intentions to steal the car an' he was part of it. I got the car, I seen... (silence)

Q: Where you at up in Hamilton you say?

A: (silence)

Q: Huh?

A: Yeah.

Q: Okay. What did you see up there? Did ya see um this Melvin Olinger up there or how did it how'd you come about seein' him?

A: I saw 'im um gettin' out of his car. He went into a bar or somethin'. I waited there. I was gonna steal his car when he came out an' drive 'im back down ta um um Cincinnati an' leave 'im. I got 'im in the car an' drove down ta um back down to um Larry Jason's house an' told Larry that he was in the car an' he said he wanted to go with me.

Q: ~~Now~~ this is Larry uh...

A: ~~He~~ Larry Kinley.

Q: Okay.

A: ~~He~~ he told me he wanted to ride with me to where I where ever I dropped 'im off at. So we rode we were ride an' we was in Cumminsville an' Larry showed a street he told me to turn down. An' so I turned down the street. An' um I had been drinkin' heavily an' smokin' marijuana. I really wasn't in in my really in in my right state of mind. An' um we went back... We we turned down a street an' um he got out the trunk an' I told 'im to walk over by um by this dumpster so I could um so he can go behind it an' I could leave an' he wouldn't know which way we were headed when we left. An'

I I asked for his wallet on the way back. He pulled his wallet out an' he handed it to me but but he dropped it. An' I um I had the I had the gun pointed at 'im an' I reached down to pick it up an' he ss.. he ke.. he started walkin' towards me or somethin'. An' an' an' like I said I was drinkin' a lot, I wan't in my right state of mind. I smokin' week. I was I was high on things an' I panic, I got scared an' I accidentally pulled the trigger. But it definitely was a accident. I didn't mean it... It definitely was a accident. An' after I heard the shot I guess I went blacked out or went into ss... shock or somethin'. An' then I didn't even see 'im see 'im fall or nothin'. I just got back in the car an' rode away thinkin' about I didn't m... I I was hoping that I didn't that I didn't shoot 'im, that I missed or somethin'. But when I got in the car Larry was he was talkin' like uh yeah you got 'im. You shot 'im in the head. His brains went every where. And...

Q: Like he's happy or what?

A: Yeah he was he was laughin'. He said fuck 'im. After he said that he was like you shot 'im, his brains went ev... every where. They was every where. Fuck 'im. An' I was just in shock cause I never I never meant for nothin' like this to happen. I just... I just was tryin' ta get a car to impress people. I wasn't wan't never tryin' to kill anybody. An' I I stayed up all that night thinkin' about that an' I... That wan't my intention an' I am

sorry that I did it.

Q: Okay. Now when when you left when you drove away from there were you in his car, the Taurus?

A: Yeah.

Q: Who was drivin'?

A: I was.

Q: Okay. Now where did you go when you left there?

A: Back to Larry house.

Q: Back to Larry's house?

A: Yeah.

Q: Now do you remember what ya took from uh the uh man? What was taken from him?

A: Um I just got his wallet an' Larry looked through it an' took all the cards an' stuff.

Q: Okay. Was there any currency in the wallet or in his pockets?

A: He had five dollars in his pocket.

Q: An' who had that?

A: I had that.

Q: Okay. So did yas keep the wallet or did ya throw the wallet out any where or what?

A: Um I don't know what Larry did with it, he had it.

Q: Okay. Um so Larry took the credit cards out?

A: Yes.

Q: Then you went back... Where did ya leave... When you left there, where did yas go to?

A: When w... when I left where?

Q: When you left where this where the sh... where this guy was shot at? Where did yas le... When you left, where'd you go to?

A: Larry house.

Q: You went to Larry's house. Is that where you spent the night?

A: (Can not hear an answer.)

Q: Did you go out any where else?

A: Un un.

Q: Alright. What you do with the gun, did you keep the gun an' put it some where?

A: I left it at um at Larry house.

Q: You left it in Larry's house?

A: Yeah.

Q: Where did you originally get the gun at?

A: It it's my father's gun.

Q: It's your father's gun. Okay. So you went back to Larry's house an' um you spent the night?

A: (Can not hear an answer.)

Q: An' what happen the next morning, you got up, did ya go any where or?

A: We got up an' Larry an' Jason had they had talked me into um goin' out an' um using these credit cards an' buy stuff with 'em. I wan't goin'... I really wan't goin'... I wan't gonna do that cause I was already scared.

Q: Um hum. What credit cards did ya have?

A: Uh a JC Penny card an' a uh a Jeanie card. They threw that away. They threw that one away.

Q: Okay. Did ya have any gas cards?

A: Yeah. An' a Shell card.

Q: Shell card. Okay. So you went out... Who went with ya to go out shopping an' use usin' the cards?

A: Larry.

Q: You an' Larry went out?

A: Yeah.

Q: Were you in his car now?

A: Yes.

Q: Now did ya take the plates off his car or anything or how did ya did ya try ta...

A: Larry took um... He took the his plate off an' put one of mine on.

Q: Okay. So now you got your plate on this guy's Taurus right? That was done by Larry?

A: Um hum.

Q: Okay. An' then you an' Larry went out to uh where Northgate?

A: Yeah.

Q: An' what where did ya where did you go out there?

A: Um ta to JC Penny.

Q: Okay. What did ya what did ya go... What did ya buy anything out there or what did you do at JC Penny?

A: Yeah I charged a necklace an' a bracelet an' a sweat shirt an' a t-shirt an' some sweat pants.

Q: Okay. An' wha...

A: An' a hat.

Q: An' a hat. An' you used the uh the guy's card, the JC Penny card?

A: Yeah.

Q: Did you sign the receipt or anything or?

A: (silence)

Q: Huh?

A: Yes.

Q: Did you signed his name or did you say you were somebody else or what?

A: I sign his name.

Q: Okay. What you uh... Jewelry you bought out there at JC Penny did did you buy that for you or did you buy that for somebody else?

A: I bought it for somebody else.

Q: An' who was that you bought that for?

A: Um my girlfriend.

Q: An' what's her name?

A: Shatanda Neal. (Not sure of the spelling on name.)

Q: Shatanda Neal. Okay. Did she know where this jewelry came from?

A: No.

Q: Okay so she didn't know anything about it? She didn't ask ya or anything like that?

A: (Can not hear an answer.)

Q: So basically you went over there an' gave 'er the

jewelry? Does she have it now?

A: Yes.

Q: Okay. An' the clothes that you bought, where's that at?

A: They got...

Q: The police you mean?

A: Yeah.

Q: Okay.

A: The police got it.

Q: Alright. Now did you uh did you go any where else then after Northgate?

A: Um up to Tricounty.

Q: --- you went to Tricounty Mall? An' what store did you go there then?

A: JC Penny.

Q: Okay another JC Penny there. An' what you did you buy anything there?

A: Yeah.

Q: What did you buy there?

A: A necklace an' a ring.

Q: A necklace an' a ring. Can you describe the necklace an' ri... an' ring.

A: It was a Herringbone necklace an'...

Q: Can...

A: a nugget ring.

Q: A nugget ring. An' where's the uh Herringbone necklace at now?

A: The police have it.

Q: Police have that. An' where's the uh nugget ring?

A: At my father's house.

Q: That's at your father's house. Okay. An' your father lives at 1101 Clearbrook?

A: Yes.

Q: Okay. So then you uh came home an' uh this is all this happen the next day right? Saturday the 15th?

A: Yes.

Q: Okay. Did you keep the card or did you give the cards to somebody else?

A: I gave it away.

Q: You gave the cards away. You remember who you gave 'em to?

A: Ooh the car?

Q: The cards, the credit cards?

A: Ooh I didn't have 'em. Ja... Larry an' Jason had 'em.

Q: Okay but you had 'em to buy this stuff though right?

A: Um hum.

Q: An' then you came home an' you gave it to Larry an' Jason?

A: Um hum.

Q: An' what they do?

A: They went to a JC Penny.

Q: So they left again. They left right after you got home an' they tried to use it?

A: (Can not hear an answer.)

Q: 'kay. An' where did you go?

A: I went to my house.

Q: You went to your house?

A: Yeah.

Q: Still drivin' the Taurus, this the guy's car?

A: Yes.

Q: Okay. How long did you did you keep his car?

A: I kept his car...

Q: Huh?

A: two days.

Q: You kept his car two days. Now this happen Friday. You sayin' you kept it till Sunday or...

A: Hum?

Q: You say you kept it till Sunday or was it later then that?

A: Till Sunday.

Q: An' then what you do with it Sunday?

A: I gave it away.

Q: An' who'd you give it to?

A: Cameron. I don't know his last name.

Q: A guy name Cameron?

A: Yeah.

Q: An' can you describe this Cameron to me?

A: He tall um brown skin. It has a high a high hair cut but low on the side.

Q: Okay what did you tell Cameron about this car?

A: When?

Q: What di... what did you tell 'im about it when you gave

it to 'im? I'm sure he's askin' question like you know
you just gonna...

A: I told I tol...

Q: gim'me --- a brand new car.

A: I told it was stolen.

Q: Okay. Did you tell 'im any about it anything about
shootin' this guy?

A: No.

Q: Huh?

A: No.

Q: Okay.

A: I gave it to 'im cause I just wa... want to just end
it all of that. I was... Cause it was bothering me. I
was scared an' I just kept thinkin' about it. I just
wanted to get ri... get rid of it.

Q: The car?

A: Yeah.

Q: Okay. Um goin' back up there in Hamilton when this
originally started. You know where you an' uh what's his
name? The one you started out with Jason? Jason
Holmes. When you an' Jason went up there, you're sayin'
you saw him comin' out of this building?

A: (Can not hear an answer.)

Q: How come you just didn't take his car an' just leave
him there?

A: Ss... cause I know he could call the police right then.
An' I wanted to leave 'im so where where he didn't know

where he was at an' where he couldn't call the police.

Gim'me more time to get to get to Hamilton County.

Q: --- --- How did you pick that area down --- Cumminsville?

A: I was just drivin' around. Just drivin'.

Q: You got --- down there anything or you just pick that area out?

A: I was just drivin' an' then we was in that area an' Larry seen a street he told me to turn down. That's how I got that's how I turn that's why I turned where I did.

Q: Okay. How did you get him ta... When you approached him, was you by yourself or was Jason with ya?

A: Jason was with me.

Q: Jason got out of the car with ya? Huh?

A: Yeah.

Q: An' who all had guns? Did you have the gun or Jason originally?

A: Um when we got out the car?

Q: Yeah.

A: I didn't have it when we got out.

Q: Huh?

A: I didn't have it when we got out. I Jason took it in the house.

Q: No I mean when you when you saw this this guy who got shot, the old man...

A: Um hum.

Q: when you saw him up comin' out of the building at Ham... up at Hamilton...

A: Um hum.

Q: an' you were sittin' there watchin' his car waitin' for 'im to come out..

A: Uh huh.

Q: when he came out to get in his car, who went up an' approached 'im?

A: I did.

Q: You did. By yourself?

A: Yeah.

Q: An' then where did Jason stay?

A: In the car.

Q: He stayed in the car. An' what did you say to this guy when you approached 'im? What what was said?

A: I told 'im... I told 'im to just get in the car.

Q: An' that's all you said?

A: An 'I didn't... Yeah. An' I didn't wanna hurt 'im.

Q: Alright. Did ya have the gun out?

A: Yes.

Q: Huh?

A: Yes.

Q: Okay an' did he get in the car or did he try ta get away or anything?

A: He got in.

Q: He got in the car? An' then what did he get in the passenger side or the driver side?

A: The pa... He got in the driver side an' scooted over.

Q: An' scooted over. So you you got in the driver side,